

ESTTA Tracking number: **ESTTA33897**

Filing date: **05/25/2005**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91164571
Party	Plaintiff HARRY WINSTON, INC. AND HARRY WINSTON ULTIMATE TIMEPIECE S.A. HARRY WINSTON, INC. 718 Fifth Avenue New York, NY 10019 UNITED STATES
Correspondence Address	Joseph R. Dreitler, Esq. c/o Jones Day P. O. Box 165017 Columbus, OH 43216-5017 UNITED STATES jrdreitler@jonesday.com, nafickle@jonesday.com
Submission	Motion for Default Judgment
Filer's Name	Joseph R. Dreitler
Filer's e-mail	jrdreitler@jonesday.com,nafickle@jonesday.com
Signature	/joseph r dreitler/
Date	05/25/2005
Attachments	Harry Winston Motion for Default Judgment.PDF (3 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

IN THE MATTER OF: TRADEMARK APPLICATION NO. 76/588,602 - CELEBRITY
STYLE BY CHARLES WINSTON

DATE OF PUBLICATION: FEBRUARY 15, 2005

HARRY WINSTON, INC.

and

**HARRY WINSTON ULTIMATE
TIMEPIECE S.A.**

Opposers,

v.

CHARLES WINSTON ENTERPRISES, LLC.

Applicant.

Notice of Opposition 91164571

MOTION FOR DEFAULT JUDGMENT

On March 18, 2005, the Board issued a trial order, setting forth that the Applicant's Answer was due 40 days after the mailing date of March 18, 2005. Thus, the due date for an Answer to be filed was April 27, 2005. As of May 25, 2005, there has been no Answer served on counsel for the Opposers, Harry Winston, Inc. and Harry Winston Ultimate Timepiece S.A., in connection with the above-captioned Opposition.

Therefore, in accordance with 37 CFR § 2.106(a) Opposers respectfully request that the Board issue a Notice of Default and an Order to Show Cause why Default Judgment should not be entered, and furthermore, that the Discovery period and all testimony periods be suspended pending disposition of this Motion for Default Judgment.

In the event that the Board does not grant Opposers' Motion For Default Judgment, Opposers respectfully request that the Board restore the Discovery period to a full six (6) months, and reset all trial dates accordingly since Opposers have been awaiting the Answer prior to commencing discovery.

Dated: May 25, 2005

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Joseph R. Dreitler", written over a horizontal line.

Joseph R. Dreitler

Brian J. Downey

Mary R. True

JONES DAY

P.O. Box 165017

Columbus, OH 43216-5017

Telephone: (614) 281-3902

Facsimile: (614) 461-4198

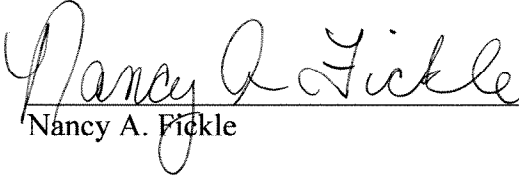
Attorneys for Opposers

Harry Winston, Inc. and Harry Winston

Ultimate Timepiece S.A.

CERTIFICATE OF MAILING

I hereby certify that a copy of this Motion for Default Judgment was served by first class mail, postage prepaid, on Michael A. Painter, c/o Isaacman Kaufman & Painter PC, 8484 Wilshire Boulevard, Suite 850, Beverly Hills, California 90211, this 25th day of May, 2005.


Nancy A. Fickle